

1 TREVOR G. JACKSON, SBN 241929  
2 LAW OFFICE OF TREVOR G. JACKSON  
3 707 Randolph Street, Suite 204  
4 Napa, California 94559-2950  
5 Telephone: (707) 257-7750  
6 Facsimile: (707) 307-7140  
7 Email: tjackson@experto-crede.com

8 Attorney for Plaintiff BARRIE D. SANDY

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Barrie D. Sandy, an individual, ) Case No. C 08-03052 SC  
Plaintiff, )  
v. ) CERTIFICATE OF SERVICE OF SUMMONS,  
MARK C. McClure, an individual; Paula ) COMPLAINT, AND OTHER CASE-RELATED  
R. Wallem, an individual; Joy E. ) DOCUMENTS ON DEFENDANT PAULA R.  
Tarbell, an individual, Joy Tarbell ) WALLEM BY A REGISTERED PROCESS  
Realty, LLC dba Prudential Joy ) SERVER  
Tarbell Realty, a New Hampshire limited )  
liability company; MB Equity Partners, )  
LLC, a Delaware limited liability company; )  
DoeS 1 through 20, )  
Defendants. )  
\_\_\_\_\_  
)

Attached is the Proof of Service of Summons and Complaint and Affidavit of Service on  
Defendant Paula R. Wallem by a registered Massachusetts process server.

Respectfully submitted,



TREVOR G. JACKSON  
Attorney for Plaintiff Barrie D. Sandy

Dated: July 18, 2008

UNITED STATES DISTRICT COURT  
for the  
Northern District of California

BARRIE D. SANDY, an individual

Plaintiff

E-filing

Civil Action No.

MARK C. McCLURE, an individual; PAULA R. WALLEM, an individual; JOY E. V.  
TARBELL, an individual; JOY TARBELL REALTY, LLC dba PRUDENTIAL JOY  
TARBELL REALTY, a New Hampshire limited liability company; MB EQUITY  
PARTNERS, LLC, a Delaware limited liability company; DOES 1 through 20

Defendants

CV 08

3052

Summons in a Civil Action

To: PAULA R. WALLEM

(Defendant's name)

SC

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Trevor G. Jackson, Esq.  
Law Office of Trevor G. Jackson  
707 Randolph Street, Suite 204  
Napa, California 94559

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: JUN 23 2008

Richard W. Wiking

Name of clerk of court

Deputy clerk's signature

MARY ANN BUCKLEY

## Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on Paula R. Wallen, by:

\*\* (1) personally delivering a copy of each to the individual at this place, Lombardo's Convention Center, 6 Billings Street, Randolph, MA 02368 on 7-9-08 at 10:10 AM  
(2) leaving a copy of each at the individual's dwelling or usual place of abode with \_\_\_\_\_  
who resides there and is of suitable age and discretion; or  
(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is \_\_\_\_\_; or  
(4) returning the summons unexecuted to the court clerk on \_\_\_\_\_.

Date: July 9, 2008

James A. Carey, Constable

Printed name and title

1004 Pheasant La., Middleboro, MA 02346  
Server's address

AFFIDAVIT OF SERVICEUNITED STATES DISTRICT COURT  
District of California

Case Number: C-08-03052 SC

Plaintiff:

**Barrie D. Sandy, an individual**

vs.

Defendant:

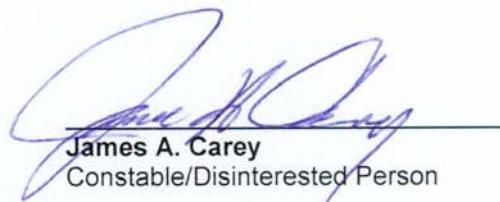
**Mark McClure, et al**

Received by MASS CONSTABLE SERVICE to be served on **PAULA R. WALLEM, Lombardo's Convention Center, 6 Billings St., Randolph, MA 02368.**

I, James A. Carey, being duly sworn, depose and say that on the 9th day of July, 2008 at 10:10 am, I:

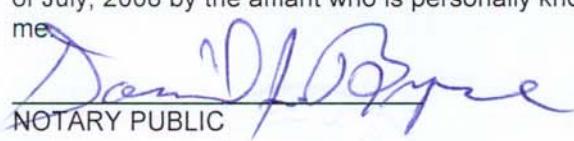
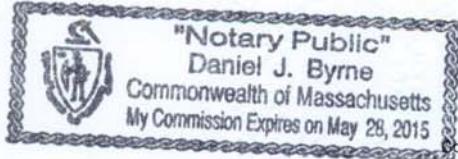
Served a true and attested copy of the **U S District Summons in a Civil Action, Complaint for Breach of Contract, Common Counts: Negligence; Fraud; Professional Negligence; Breach of Fiduciary Duty; Intentional Infliction of Emotional Distress, Unjust Enrichment; Plaintiff's Certification of Interested Entities or Persons; Order Setting Initial Case Management Conference and ADR Deadlines; Clerk's Notice Re: Case Management Conference; Notice of Availability of Magistrate Judge to Exercise Jurisdiction; Form Re: Consent to Proceed Before A United States Magistrate Judge; Brochure entitled "Consenting to A Magistrate Judge's Jurisdiction In The Northern District of California; ECF Registration Information Handout; and U.S. District Court, San Francisco Guidelines to Paula R. Wallem** in the following manner, by delivering in hand to **Paula R. Wallem** . Said service was made at **Lombardo's Convention Center, 6 Billings St., Randolph, MA 02368**.

I certify that I am over the age of 18, have no interest in the above action.

  
\_\_\_\_\_  
James A. Carey  
Constable/Disinterested Person

MASS CONSTABLE SERVICE  
1004 Pheasant Lane  
Middleboro, MA 02346  
(508) 946-6914

Subscribed and Sworn to before me on the 10th day  
of July, 2008 by the affiant who is personally known to  
me.

  
NOTARY PUBLIC

Our Job Serial Number: 2008002420  
Ref: 117.00

1 **PROOF OF SERVICE**

2 I, Christina K. Alpi, hereby declare:

3 I am employed in the County of Napa, State of California. I am over the age of eighteen (18)  
4 and not a party to the within action. My business address is 707 Randolph Street, Suite 204, Napa,  
5 California 94559.

6 On July 18, 2008, I served the foregoing document(s):

7 **CERTIFICATE OF SERVICE OF SUMMONS, COMPLAINT, AND OTHER  
8 CASE-RELATED DOCUMENTS ON DEFENDANT PAULA R. WALLEM  
BY A REGISTERED PROCESS SERVER**

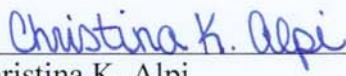
9 on the interested parties in said action by placing a true copy thereof in a sealed envelope(s)  
10 addressed as follows:

11 **PAULA R. WALLEM**  
12 **147 Ridge Road**  
13 **Portland, ME 04103-4713**  
***Defendant***

14  (U.S. MAIL) by placing a true copy of the foregoing document(s) listed above in sealed  
15 envelopes with postage thereon fully prepaid, in the United States mail at Napa, California  
16 addresses as set forth below. I am readily familiar with the business' practice of collecting and  
17 processing correspondence for mailing. Under that practice it would be deposited with the  
United States Postal Service on that same day with postage thereon fully prepaid in the  
ordinary course of business. I am aware that on motion of the party served, service is presumed  
invalid if the postal cancellation date or postage meter date is more than one date of deposit for  
mailing in affidavit.

18 I declare under penalty of perjury that I am employed in the office of a member of the bar of  
19 this Court at whose discretion the service was made and that the foregoing is true and correct.

20 Executed on July 18, 2008, at Napa, California.

21   
22 Christina K. Alpi